

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Keith R. Murphy
Anat Maytal

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BERNARD GREENMAN MARITAL DEDUCTION
TRUST,

GREENMAN FAMILY FOUNDATION, INC.,

PHYLLIS GREENMAN, individually, as Successor

Adv. Pro. No. 10-04479 (SMB)

Trustee and Beneficiary of the Bernard Greenman
Marital Deduction Trust,

LESTER GREENMAN, individually and as
Beneficiary of the Bernard Greenman Marital
Deduction Trust,

JUDITH KATZ, individually and as Beneficiary of
the Bernard Greenman Marital Deduction Trust, and

STEWART KATZ, individually,

Defendants.

STIPULATION AND ORDER OF DISMISSAL

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendant Greenman Family Foundation, Inc., (“Defendant”), by and through its counsel, FREJKA PLLC (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed and served the Complaint against Defendants.
2. On April 17, 2014, Defendant served an answer on the Trustee.
3. On March 1, 2017, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendant in the above-captioned adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: April 13, 2017

BAKER & HOSTETLER LLP

By: /s/ Keith R. Murphy
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Keith R. Murphy
Email: kmurphy@bakerlaw.com
Anat Maytal
Email: amaytal@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*

SO ORDERED

Dated: April 13, 2017
New York, New York

FREJKA PLLC

By: /s/ Elise S. Frejka
205 East 42nd Street, 20th Floor
New York, New York 10017
Telephone: (212) 641-0800
Elise S. Frejka
Email: efrejka@frejka.com

Attorneys for Defendant

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE